

Remarks

This is a response to the office action mailed February 19, 2004. Claims 1-33 were filed in this application. In this office action, the Examiner rejects claims 1-3, 5-9, 12-17, 26-28 and 33 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,712,658 issued to Arita (hereinafter "Arita"). Further, the Examiner rejects claims 4 and 29 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of Japanese Patent No. JP 409080372 issued to Tsutomu et al. (hereinafter "Tsutomu").

The Examiner rejects claims 30-32 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 5,754,873, issued to Nolan (hereinafter "Nolan"). Additionally, the Examiner rejects claim 10 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 3,740,559 issued to Scanlon et al. (hereinafter "Scanlon"). Finally, the Examiner rejects claim 11 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 6,664,949 issued to Amro et al. (hereinafter "Amro"). Reconsideration and reexamination of the application is respectfully requested.

A. Rejections Under 35 U.S.C. § 102(b)

The Examiner rejects claims 1-3, 5-9, 12-17, 26-28 and 33 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,712,658 issued to Arita (hereinafter "Arita"). Applicant respectfully disagrees with the Examiner's rejection of the claims for the reasons set forth below.

Arita fails to disclose the identical invention as that disclosed and claimed by Applicant. MPEP §2131 recites the standard for anticipation of a claim:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the ... claim.

(Emphasis added). As the Examiner appreciates in his comments in the above-identified office action, Arita discloses an information display apparatus, not an information transfer mechanism as presented in Applicant's independent claims 1 and 26.

Arita teaches an information display apparatus wherein a computer generates a specific output on one of a number of CRT displays from a main display screen. Identification of each CRT display is associated with a unique shape of the optical pointer. If an operator generates an optical pointer object, the computer displays the main screen information on the associated CRT display. Thus, Arita merely contemplates identification of the display terminal requesting display, but fails to teach or disclose actual transmission of control outputs to the computer.

While Arita does describe a method of activating an information query by turning the pointer on and off, Arita only retrieves information for display on one of the CRT terminals. Control outputs or commands are entered with other devices. Applicant's claimed invention is fundamentally different. Applicant discloses and claims an information transmission system for communicating information with a remotely located computer, which either decodes the pointer output and generates a computer command, such as a keyboard button activation (claim 1), or detects and decodes a modulation of the pointer and generates a general computer input, such as an encoded user identification (claim 26).

Addition of pointer shapes to the Arita information display apparatus merely increases the number of identifiable CRT displays, but does not increase the number of functions controllable by the pointer. In contrast, Applicant's claimed invention allows a user to transmit multiple bits of information from the user's pointer to the computer, rather than just a single control command as taught by Arita. Thus, Arita's disclosed system allows only for linear growth to the presentation system (one pointer shape in one command for display of information on one CRT display terminal). Applicant's claimed system allows for exponential additions to the system (multiple pointer commands generated by each pointer).

Further, Applicant's claimed invention can provide drag and drop control of a computer mouse pointer (see Figure 11; Applicant's specification page 21, ll. 5-17. Arita cannot perform drag and drop commands associated with "Windows-Icon-Menu-Pointer" (WIMP) interface tasks. Arita clearly fails to disclose the identical invention disclosed in Applicant's specification and claimed, especially Applicant's independent claims 1 and 26. Thus, Arita does not anticipate Applicant's claimed invention. As such, Applicant respectfully submits that independent claims 1 and 26, and claims 2-3,5-9, 12-17, 26-28 and 33 depending from claims 1 and 26, are in condition for allowance.

B. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 4 and 29 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of Japanese Patent No. JP 409080372 issued to Tsutomu et al. (hereinafter "Tsutomu"). These claims depend from allowable subject matter in independent claims 1 and 26, respectively, and are thus in condition for allowance.

Additionally, The Examiner rejects claims 30-32 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 5,754,873, issued to Nolan (hereinafter "Nolan"). These claims depend from allowable subject matter in independent claim 26 and are thus in condition for allowance.

Further, the Examiner rejects claim 10 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 3,740,559 issued to Scanlon et al. (hereinafter "Scanlon"). The Examiner also rejects claim 11 under 35 U.S.C. §103(a) as being unpatentable over Arita in view of U.S. Patent No. 6,664,949 issued to Amro et al. (hereinafter "Amro"). Claims 10 and 11 depend from allowable subject matter in claim 1 and are thus in condition for allowance. Reconsideration of these rejections is respectfully requested.